



March 3, 2003

U.S. Army Corps Of Engineers, Portland District
CENWP-PM-E
Attn: Robert Willis
P.O. Box 2946
Portland, OR 97208-2946

Dear Mr. Willis:

Please accept the following comments on the *Final Supplemental Integrated Feasibility Report and Environmental Impact Statement for the Columbia River Channel Improvement Project*.

CREST is a local bi-state council of governments representing the cities, counties, and port districts of the Columbia River Estuary. At the direction of the CREST Council, CREST staff analyzed and provided comments on the Draft and Final EIS's and has continued to track this proposal.

CREST will specifically comment on those issues that impact the Columbia River Estuary (Lower 46 River Miles) and its surrounding communities. The proposal to deepen the navigation channel from 40 to 43 feet on the Columbia and Willamette Rivers, as outlined throughout the NEPA process, will result in significant adverse environmental impacts.

Based on our review of the Draft and Final EIS's it was CREST's finding the project could not be done as proposed without resulting in negative impacts to the natural resources and the economy of the communities surrounding the Columbia River estuary. CREST also found that the proposed project violated local regulations and state and federal laws including the National Environmental Policy Act, the Clean Water Act, the Coastal Zone Management Act, and the Endangered Species Act.

CREST's initial findings determined that cumulative estuarine impacts will result from the project. Specifically direct, indirect, and cumulative impacts, through dredging and disposal, to: Dungeness Crab, Columbia River Smelt, Sturgeon, ESA Salmonids, the Estuarine Food Web, and Shoreline Habitat. These impacts must be avoided and if unavoidable, they must be mitigated.

CREST would like to incorporate by reference our comments submitted for the Draft EIS (1998), Final EIS (1999), and Supplemental Draft EIS (2002).

In addition to the comments referenced above CREST would like to highlight a few specific areas that are still of concern.

Since the Final EIS for the deepening project was denied by both States and NOAA Fisheries, an endangered species act re-consultation effort ensued with NOAA Fisheries and the U.S. Fish and Wildlife. Although the project received favorable Biological Opinions from federal agencies the project now results in increased inconsistencies with local and state regulations and increased violations of state water quality standards.

CREST remains concerned about a number of activities proposed as part of the plan and specifically highlighted and commented on several components of the Draft Supplemental NEPA document that continue to appear flawed.

The SEIS increases the use of new in-water estuary disposal sites, fails to adequately address ocean disposal, proposes dredging based on inadequate sediment characterization and questionable volume calculations, continues degradation to estuarine habitat and impacts ESA species, emphasizes ESA approvals based on relatively low priority “ecosystem restoration” projects, provides no beneficial uses of dredged material in the estuary, counters overall dredged material management policies, and uses an uncertain “adaptive management” scenario for project approval. Taken as a whole, the project continues to result in negative environmental and economic impacts to estuary communities.

Disposal sites in the estuary are of particular concern. The proposed changes in habitat type and overall footprint for Lois and Mott and Miller-Pillar embayments are still a concern as neither of these disposal sites are approved dredged material disposal sites in regional estuary plans. As CREST pointed out during the State agency comment period consistency with local comprehensive, shoreline, and estuary plans is a requirement under the Coastal Zone Management Act. CREST is also particularly concerned about in-water disposal in areas of the estuary deeper than 65 feet. This is also prohibited by local coastal zone regulations and plans. One of the disposal sites in water deeper than 65 feet is “downstream of River Mile 5”. In-water disposal here will ultimately end up in the Mouth of the Columbia River (MCR) project area and material will be re-dredged again for disposal in Ocean Disposal sites. This disposal plan maximizes negative water quality, entrainment, and disposal impacts. Mitigation, for unavoidable impacts, is required under NEPA and the Coastal Zone Management Act, yet again no mitigation is proposed for deepening impacts.

The disposal practices described in the SEIS result in increased water quality impacts from previous drafts, largely from increasing the overall footprint of disposal sites in the estuary and increasing the re-handling and re-dredging of construction and maintenance materials.

There remains a serious dredged material disposal problem in the estuary and lower river. Seven of the 10 million cubic yards of dredged material necessary to maintain the mouth of the river and the navigation channel every year occur from River Mile 46 to the ocean. Proposed deepening would add another 11 million cubic yards of disposal to this area out of the 14.5 million cubic yards necessary for channel deepening construction. Environmentally and economically acceptable disposal sites in the estuary are simply reaching capacity and deepening based on the Final SEIS exacerbates this problem.

CREST is committed to assisting in the development of solutions to our dredging and disposal problems on the Columbia. As CREST commented during the Draft, Final and now Supplemental EIS phases beneficial uses of dredged material is preferred and efforts to expand beneficial uses of dredged material is critical. Regional Sand Management and Lower Columbia Solutions Group initiatives are excellent starting points. These programs should be expanded and consensus built on collaborative solutions to improve dredged material management on the Columbia.

Additionally, any “adaptive management” framework used to gain federal and state environmental approvals must include State agencies and other interests.

Thank you for the opportunity to comment. CREST continues to stay engaged in dredged material management issues on the Columbia and is working to increase beneficial uses and creative solutions to dredged material management issues.

Sincerely,

Matthew Van Ess
CREST Director